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VIA ECF

November 6, 2023

The Hon. Laura Taylor Swain, U.S.D.J.
United States Courthouse
40 Foley Square
New York, NY 10007

MEMO ENDORSED

Re: **Automated Management Systems, Inc. v. Rappaport Hertz**
Cherson Rosenthal, P.C., et al.
Case No. 16-cv-04762(LTS)(JW)
Our File No. 10237/361080

Dear Judge Swain:

Pursuant to the Court's Memorandum Opinion and Order (the "Order") entered on September 19, 2023, *see ECF No. 389*, Defendants, Rappaport Hertz Cherson Rosenthal, P.C., William Rappaport, Steven M. Hertz, Eliot J. Cherson and Michael C. Rosenthal (the "Law Firm Defendants") submit this joint status update with the consent of the other parties. Pursuant to the October 3, 2023 Text Order, the parties have agreed to proceed with a settlement conference on January 18, 2023, before the Honorable Jennifer E. Willis, which is beyond the date of the final pre-trial conference, January 5, 2024. *See ECF No. 391*. Accordingly, the parties respectfully request that the final pre-trial conference be adjourned for a date that is at least three weeks after the settlement conference, to allow them to conserve their resources and focus on settlement. If the matter is not settled, the parties expect to proceed to a bench trial.

Respectfully submitted,

PECKAR & ABRAMSON, P.C.
Attorneys for Law Firm Defendants

/s/ Kevin J. O'Connor

KEVIN J. O'CONNOR

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The foregoing request is granted. The final pretrial conference in this case is rescheduled to March 1, 2024, at 10:30 a.m. in Courtroom 17C. This resolves docket entry no. 392. SO ORDERED.

Dated: 11/7/2023

/s/ Laura Taylor Swain, Chief U.S.D.J.

cc: All counsel of record (*via ECF*).

